



"Promoting consumer  
choice and innovation  
through advanced  
facilities-based networks."

## BRINGING FULLY COMPETITIVE BROADBAND TO AMERICA<sup>1</sup>

**FILED ELECTRONICALLY**

April 5, 2007

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

Re: *Ex Parte* Presentations in MB Docket No. 05-311 and MB Docket No. 07-29

Dear Ms. Dortch:

Pursuant to Section 1.1206 of the Commission's rules, 47 C.F.R. § 1.1206, The Broadband Service Providers Association (BSPA) submits this notice of an *ex parte* presentation in the above-captioned proceedings.

On April 4, 2007 Rodger Johnson, CEO, Knology; Felix Boccucci, V.P. Business Development, Knology; Bill Heaston, General Counsel, PrairieWave; Richard Ramlall, V.P. Investor and Public Relations, RCN; Jack Day, Manager External Relations, SureWest; Gary Evans, CEO, Hiawatha Broadband; Martin Stern, K & L Gates; and I had meetings on behalf of the Broadband Service Providers Association with Rudy Brioche, Legal Advisor to Commissioner Adelstein, Christopher Robbins, Acting Legal Advisor to Commissioner Tate, Michelle Carey, legal advisor to Chairman Martin, and Cristina Pauze, Legal Advisor to Commissioner McDowell, to discuss the Commission's rulemaking on the further extension of the prohibition against exclusive contracts as part of Section 628 and cable franchise-related issues. Jack Day did not attend the meeting with Rudy Brioche.

At these meetings we discussed the policy recommendations made by the BSPA as part of comments filed in MB docket No. 07-29 and potential implications of franchise rules being considered by the FCC as they might apply to existing competitive franchises as recommended in the Further Notice for Proposed Rulemaking for franchise reform.

Respectfully submitted for,  
**Broadband Service Providers Association**

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<sup>1</sup> The current members of BSPA, all of which are last-mile, facilities-based providers, are: Everest Connections, Hiawatha Broadband, Knology, PrairieWave Communications, RCN, and SureWest Communications. BSPA is located at 1735 New York Avenue, Suite 500, Washington, DC 20006. Phone: 202.661.3945

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March 3, 2006  
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By: /s/  
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Enclosure

cc: Michelle Carey, Rudy Brioche, Christopher Robbins, Cristina Chou Pauze